

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

Dated: 21.09.2007

.. PETITIONER

1.The Chairman, A.P. State Electricity Board,
Vidyut Soudha, Hyderabad and another .. RESPONDENTS

WRIT PETITION No.28643 of 1998

This writ petition is filed seeking a Writ of Mandamus declaring the impugned bills bearing Nos.1274 and 1252 dated 01.08.1998 and 01.10.1998 respectively issued by the respondents as ex-facie bad in law, arbitrary and illegal and consequently direct the respondents to restore power supply to the petitioner's premises.

The case of the petitioner is that he is the owner of a residential house bearing No.3-5-784/2/3, Kingkoti, Hyderabad and initially the said house was having one phase power connection and subsequently, at his request, the same was converted into three phase connection. It is stated that the electricity bills were issued bimonthly ranging from Rs.550/- to Rs.680/- in the year 1997 and thereafter in the year 1998, due to increase in power charges, the bills were issued with variation ranging from Rs.1000/- to Rs.1300/-.

However, the 2nd respondent issued a bill No.1274 dated 01.08.1998 directing the petitioner to pay an amount of Rs.24,586/- towards electricity charges for the months of June and July, 1998. Similarly another bill No.1252 dated 01.10.1998 was issued directing the petitioner to pay an amount of Rs.29,310/- towards electricity charges for the months of August and September 1998. When the petitioner requested for a corrected bill, the 2nd respondent asked him to give a representation enclosing a demand draft for Rs.100/- for testing the electricity meter and accordingly the petitioner took a demand draft of Rs.100/- in favour of the 2nd respondent and also gave a representation on 07.10.1998. As there was no response, the petitioner approached this Court and filed the present writ petition.

Heard both sides.

Learned Standing Counsel for the respondents submits that even before the matter was under consideration, the petitioner approached this Court and filed the present writ petition. He further submitted that if the petitioner is having any grievance regarding the disputed bills, he is at liberty to approach the Chief Electrical Inspector for ground verification as to whether the disputed bills are defective or not.

From the above, it is clear that the petitioner approached this Court even before any action is taken by the respondents to verify the meter. He ought to have given sufficient time to the respondents to verify the meter so as to find out as to whether there was any defect in it. Hence, this Court is of the view that the writ petition is misconceived and is liable to be dismissed.

The writ petition is accordingly dismissed. However, the respondents are directed to consider the representation filed by the petitioner dated 07.10.1998 and pass appropriate orders thereon as to whether there is any discrepancy in the disputed bills dated 01.08.1998 and 01.10.1998. No costs.

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21.09.2007
Gsn.

(GOPALA KRISHNA TAMADA, J)